

1 State of Arkansas  
2 90th General Assembly  
3 Fiscal Session, 2016  
4

# A Bill

HOUSE BILL 1050

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE STATE INSURANCE  
10 DEPARTMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2017;  
11 AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14 AN ACT FOR THE STATE INSURANCE DEPARTMENT  
15 APPROPRIATION FOR THE 2016-2017 FISCAL  
16 YEAR.  
17  
18  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established  
23 for the State Insurance Department for the 2016-2017 fiscal year, the  
24 following maximum number of regular employees.  
25

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2016-2017
30	(1) U042U	INSURANCE CHIEF DEPUTY COMMISSIONER	1	\$172,535
31	(2) U047U	STATE INSURANCE COMMISSIONER	1	\$130,821
32	(3) N014N	INS DEP COMM FINANCIAL REGULATIONS	1	GRADE N914
33	(4) N190N	INSURANCE GENERAL COUNSEL	1	GRADE N912
34	(5) G018N	DIRECTOR RISK MANAGEMENT	1	GRADE N910
35	(6) N140N	INS ASST DEP COMMISSIONER FINANCE	1	GRADE N910
36	(7) N023N	INSURANCE DEPUTY COMMISSIONER	2	GRADE N910



1	(8)	N025N	INS DEPUTY COMMR INFO SERVICES	1	GRADE N910
2	(9)	X002N	PROPERTY & CASUALTY MANAGER	1	GRADE N910
3	(10)	N073N	INSURANCE CHF FIN/MKT CONDUCT EXMR	1	GRADE N908
4	(11)	G043N	RISK MANAGEMENT ASSISTANT DIRECTOR	1	GRADE N908
5	(12)	A004N	CERTIFIED FINANCIAL EXAMINER MANAGER	3	GRADE N906
6	(13)	N115N	CRIMINAL INSURANCE FRAUD DIRECTOR	1	GRADE N904
7	(14)	D010N	INSURANCE CHIEF TECHNOLOGY OFFICER	1	GRADE N904
8	(15)	A004C	CERTIFIED FINANCIAL EXAMINER	12	GRADE C130
9	(16)	X002C	INSURANCE PUBLIC EMP CLAIMS DIV DIR	1	GRADE C130
10	(17)	G004C	MANAGING ATTORNEY	3	GRADE C129
11	(18)	G241C	HEALTH INFO TECH OPER & TECH OFFICER	1	GRADE C128
12	(19)	D007C	INFORMATION SYSTEMS MANAGER	2	GRADE C128
13	(20)	G047C	ATTORNEY SPECIALIST	8	GRADE C126
14	(21)	X009C	INSURANCE DEPT DIR OF SECURITY OPS	1	GRADE C126
15	(22)	D034C	DATABASE ADMINISTRATOR	1	GRADE C124
16	(23)	X018C	INSURANCE CONSUMER PROTECTION MGR	1	GRADE C124
17	(24)	X017C	INSURANCE LICENSING MANAGER	1	GRADE C124
18	(25)	G259C	INSURANCE PROGRAM MANAGER	1	GRADE C124
19	(26)	G064C	SR HLTH INSURANCE INFORMATION PRG MG	1	GRADE C124
20	(27)	D022C	SYSTEMS SPECIALIST	4	GRADE C124
21	(28)	P004C	PUBLIC INFORMATION MANAGER	1	GRADE C123
22	(29)	D038C	SENIOR SOFTWARE SUPPORT ANALYST	1	GRADE C123
23	(30)	X192C	ASST DIRECTOR FRAUD INVESTIGATION	1	GRADE C122
24	(31)	A044C	AUDIT COORDINATOR	1	GRADE C122
25	(32)	A042C	INSURANCE SENIOR EXAMINER	7	GRADE C122
26	(33)	X034C	PREPAID FUNERAL MANAGER	1	GRADE C122
27	(34)	D044C	SYSTEMS ANALYST	1	GRADE C122
28	(35)	R014C	PERSONNEL MANAGER	1	GRADE C121
29	(36)	D052C	SOFTWARE SUPPORT ANALYST	4	GRADE C121
30	(37)	G107C	WCC PROGRAM MANAGER	1	GRADE C121
31	(38)	G106C	WCC CLAIMS SPECIALIST	5	GRADE C121
32	(39)	G125C	INSURANCE SPECIAL PROJECTS COORD	1	GRADE C120
33	(40)	G120C	RISK CONSULTANT	7	GRADE C120
34	(41)	X072C	CRIMINAL INS FRAUD INVESTIGATOR	7	GRADE C119
35	(42)	A067C	INSURANCE EXAMINER	2	GRADE C119
36	(43)	X066C	INSURANCE PREMIUM TAX EXAMINER	4	GRADE C119

1	(44)	A060C	SENIOR AUDITOR	2	GRADE C119
2	(45)	X083C	INSURANCE LIFE & HEALTH COMP OFFICER	4	GRADE C118
3	(46)	X080C	PROP & CASUALTY COMPLIANCE OFFICER	4	GRADE C118
4	(47)	X076C	TITLE INSURANCE COMPLIANCE OFFICER	1	GRADE C118
5	(48)	A080C	FINANCE AUTHORITY SPECIALIST	1	GRADE C117
6	(49)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
7	(50)	C016C	INSURANCE ADMINISTRATIVE COORDINATOR	2	GRADE C117
8	(51)	P020C	PRODUCTION ARTIST	1	GRADE C117
9	(52)	X123C	INSURANCE INVESTIGATOR	9	GRADE C116
10	(53)	C037C	ADMINISTRATIVE ANALYST	7	GRADE C115
11	(54)	R033C	BENEFITS ANALYST	1	GRADE C115
12	(55)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
13	(56)	G202C	VOLUNTEER PROGRAM COORDINATOR	3	GRADE C115
14	(57)	G201C	WCC CLAIMS ANALYST	3	GRADE C115
15	(58)	M066C	PROGRAM ELIGIBILITY SPECIALIST	2	GRADE C114
16	(59)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113
17	(60)	C046C	LEGAL SUPPORT SPECIALIST	4	GRADE C113
18	(61)	C056C	ADMINISTRATIVE SPECIALIST III	14	GRADE C112
19	(62)	A098C	FISCAL SUPPORT SPECIALIST	4	GRADE C112
20	(63)	X180C	INSURANCE LICENSING TECHNICIAN	10	GRADE C110
21	(64)	C073C	ADMINISTRATIVE SPECIALIST II	12	GRADE C109
22	(65)	C084C	MAIL SERVICES SPECIALIST	2	GRADE C107
23	(66)	C087C	ADMINISTRATIVE SPECIALIST I	<u>1</u>	GRADE C106
24			MAX. NO. OF EMPLOYEES	189	

25

26 SECTION 2. REGULAR SALARIES - LEVEL ONE COOPERATIVE AGREEMENT -  
 27 FEDERAL. There is hereby established for the State Insurance Department -  
 28 Level One Cooperative Agreement - Federal for the 2016-2017 fiscal year, the  
 29 following maximum number of regular employees.

30

31					Maximum Annual
32				Maximum	Salary Rate
33	Item	Class		No. of	Fiscal Year
34	No.	Code	Title	Employees	2016-2017
35	(1)	N023N	INSURANCE DEPUTY COMMISSIONER	1	GRADE N910
36	(2)	L018N	NURSE PRACTITIONER	1	GRADE N904

1	(3)	X005C	PROPERTY & CASUALTY MANAGER	2	GRADE C128
2	(4)	G047C	ATTORNEY SPECIALIST	1	GRADE C126
3	(5)	X018C	INSURANCE CONSUMER PROTECTION MGR	1	GRADE C124
4	(6)	G064C	SR HLTH INSURANCE INFO PRG MANAGER	1	GRADE C124
5	(7)	D022C	SYSTEMS SPECIALIST	1	GRADE C124
6	(8)	P004C	PUBLIC INFORMATION MANAGER	1	GRADE C123
7	(9)	A041C	PROGRAM FISCAL MANAGER	1	GRADE C122
8	(10)	G109C	GRANTS MANAGER	2	GRADE C121
9	(11)	G147C	GRANTS COORDINATOR	6	GRADE C119
10	(12)	X083C	INSURANCE LIFE & HEALTH COMP OFFICER	1	GRADE C118
11	(13)	X076C	TITLE INSURANCE COMPLIANCE OFFICER	1	GRADE C118
12	(14)	X123C	INSURANCE INVESTIGATOR	3	GRADE C116
13	(15)	C037C	ADMINISTRATIVE ANALYST	1	GRADE C115
14	(16)	C056C	ADMINISTRATIVE SPECIALIST III	1	GRADE C112
15	(17)	C073C	ADMINISTRATIVE SPECIALIST II	<u>3</u>	GRADE C109
16			MAX. NO. OF EMPLOYEES	28	

17

18 SECTION 3. EXTRA HELP. There is hereby authorized, for the State  
 19 Insurance Department for the 2016-2017 fiscal year, the following maximum  
 20 number of part-time or temporary employees, to be known as "Extra Help",  
 21 payable from funds appropriated herein for such purposes: nineteen (19)  
 22 temporary or part-time employees, when needed, at rates of pay not to exceed  
 23 those provided in the Uniform Classification and Compensation Act, or its  
 24 successor, or this act for the appropriate classification.

25

26 SECTION 4. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
 27 to the State Insurance Department, to be payable from the State Insurance  
 28 Department Trust Fund, for personal services, operating expenses, special  
 29 maintenance and professional services of the State Insurance Department -  
 30 Operations for the fiscal year ending June 30, 2017, the following:

31

32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2016-2017</u>
34	(01) REGULAR SALARIES	\$7,013,643
35	(02) EXTRA HELP	140,000
36	(03) PERSONAL SERVICES MATCHING	2,306,888

1	(04) OVERTIME	35,000
2	(05) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	2,608,956
4	(B) CONF. & TRAVEL	138,000
5	(C) PROF. FEES	142,000
6	(D) CAP. OUTLAY	355,000
7	(E) DATA PROC.	0
8	(06) SPECIAL MAINTENANCE	50,000
9	(07) PROFESSIONAL SERVICES	<u>486,000</u>
10	TOTAL AMOUNT APPROPRIATED	<u><u>\$13,275,487</u></u>

11

12 SECTION 5. APPROPRIATION - FRAUD INVESTIGATION UNIT. There is hereby  
 13 appropriated, to the State Insurance Department, to be payable from the State  
 14 Insurance Department Trust Fund, for personal services and operating expenses  
 15 of the State Insurance Department - Fraud Investigation Unit for the fiscal  
 16 year ending June 30, 2017, the following:

17

18	ITEM	FISCAL YEAR
19	<u>NO.</u>	<u>2016-2017</u>
20	(01) REGULAR SALARIES	\$191,107
21	(02) PERSONAL SERVICES MATCHING	63,809
22	(03) MAINT. & GEN. OPERATION	
23	(A) OPER. EXPENSE	122,827
24	(B) CONF. & TRAVEL	12,000
25	(C) PROF. FEES	11,000
26	(D) CAP. OUTLAY	0
27	(E) DATA PROC.	<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	<u><u>\$400,743</u></u>

29

30 SECTION 6. APPROPRIATION - INSURANCE FRAUD INVESTIGATION DIVISION.  
 31 There is hereby appropriated, to the State Insurance Department, to be  
 32 payable from the Insurance Fraud Investigation Division Trust Fund, for  
 33 personal services and operating expenses of the State Insurance Department -  
 34 Insurance Fraud Investigation Division for the fiscal year ending June 30,  
 35 2017, the following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2016-2017</u>
3	(01) REGULAR SALARIES	\$594,810
4	(02) PERSONAL SERVICES MATCHING	191,295
5	(03) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	191,635
7	(B) CONF. & TRAVEL	35,000
8	(C) PROF. FEES	11,000
9	(D) CAP. OUTLAY	0
10	(E) DATA PROC.	<u>0</u>
11	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,023,740</u></u>

12

13         SECTION 7. APPROPRIATION - PREPAID FUNERAL BENEFITS DIVISION. There is  
 14 hereby appropriated, to the State Insurance Department, to be payable from  
 15 the State Insurance Department Prepaid Trust Fund, for personal services and  
 16 operating expenses of the State Insurance Department - Prepaid Funeral  
 17 Benefits Division for the fiscal year ending June 30, 2017, the following:

18

19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2016-2017</u>
21	(01) REGULAR SALARIES	\$221,367
22	(02) PERSONAL SERVICES MATCHING	75,761
23	(03) MAINT. & GEN. OPERATION	
24	(A) OPER. EXPENSE	71,390
25	(B) CONF. & TRAVEL	4,000
26	(C) PROF. FEES	27,000
27	(D) CAP. OUTLAY	0
28	(E) DATA PROC.	<u>0</u>
29	TOTAL AMOUNT APPROPRIATED	<u><u>\$399,518</u></u>

30

31         SECTION 8. APPROPRIATION - PREPAID FUNERAL CONTRACTS RECOVERY PROGRAM.  
 32 There is hereby appropriated, to the State Insurance Department, to be  
 33 payable from the Prepaid Funeral Contracts Recovery Program Fund, for the  
 34 expenses and payment of claims by the State Insurance Department - Prepaid  
 35 Funeral Contracts Recovery Program for the fiscal year ending June 30, 2017,  
 36 the following:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) EXPENSES AND CLAIMS FOR PREPAID FUNERAL CONTRACTS RECOVERY PROGRAM	<u>\$500,000</u>

SECTION 9. APPROPRIATION - REFUNDS OF OVERPAYMENTS. There is hereby appropriated, to the State Insurance Department, to be payable from the Miscellaneous Revolving Fund, for payments of miscellaneous tax and fee refunds by the State Insurance Department - Refunds of Overpayments for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) REFUNDS/REIMBURSEMENTS	<u>\$11,000,000</u>

SECTION 10. APPROPRIATION - CONTINUING EDUCATION PROGRAM. There is hereby appropriated, to the State Insurance Department, to be payable from the Insurance Continuing Education Trust Fund, for personal services of the State Insurance Department - Continuing Education Program for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) REGULAR SALARIES	\$25,268
(02) PERSONAL SERVICES MATCHING	<u>10,812</u>
TOTAL AMOUNT APPROPRIATED	<u>\$36,080</u>

SECTION 11. APPROPRIATION - HEALTH INFORMATION COUNSELING. There is hereby appropriated, to the State Insurance Department, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the State Insurance Department - Health Information Counseling for the fiscal year ending June 30, 2017, the following:

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2016-2017</u>
3	(01) REGULAR SALARIES	\$204,217
4	(02) PERSONAL SERVICES MATCHING	76,883
5	(03) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	284,063
7	(B) CONF. & TRAVEL	0
8	(C) PROF. FEES	356,409
9	(D) CAP. OUTLAY	0
10	(E) DATA PROC.	<u>0</u>
11	TOTAL AMOUNT APPROPRIATED	<u><u>\$921,572</u></u>

12

13           SECTION 12. APPROPRIATION - CONSUMER INFORMATION SYSTEM - CASH. There  
 14 is hereby appropriated, to the State Insurance Department, to be payable from  
 15 the cash fund deposited in the State Treasury as determined by the Chief  
 16 Fiscal Officer of the State, for operating expenses of the State Insurance  
 17 Department - Consumer Information System - Cash for the fiscal year ending  
 18 June 30, 2017, the following:

19

20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2016-2017</u>
22	(01) MAINT. & GEN. OPERATION	
23	(A) OPER. EXPENSE	\$79,005
24	(B) CONF. & TRAVEL	0
25	(C) PROF. FEES	0
26	(D) CAP. OUTLAY	0
27	(E) DATA PROC.	<u>0</u>
28	TOTAL AMOUNT APPROPRIATED	<u><u>\$79,005</u></u>

29

30           SECTION 13. APPROPRIATION - TRAVEL AND SUBSISTENCE - CASH. There is  
 31 hereby appropriated, to the State Insurance Department, to be payable from  
 32 the cash fund deposited in the State Treasury as determined by the Chief  
 33 Fiscal Officer of the State, for travel and subsistence expenses of the State  
 34 Insurance Department - Travel and Subsistence - Cash for the fiscal year  
 35 ending June 30, 2017, the following:

36



1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2016-2017</u>
3	(01) TRAVEL & SUBSISTENCE EXPENSES	<u>\$100,000</u>

4

5 SECTION 14. APPROPRIATION - PUBLIC EMPLOYEE CLAIMS SECTION. There is

6 hereby appropriated, to the State Insurance Department, to be payable from

7 the Miscellaneous Agencies Fund Account, for personal services and operating

8 expenses of the State Insurance Department - Public Employee Claims Section

9 for the fiscal year ending June 30, 2017, the following:

10

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2016-2017</u>
13	(01) REGULAR SALARIES	\$997,645
14	(02) PERSONAL SERVICES MATCHING	343,782
15	(03) MAINT. & GEN. OPERATION	
16	(A) OPER. EXPENSE	510,931
17	(B) CONF. & TRAVEL	13,000
18	(C) PROF. FEES	1,000
19	(D) CAP. OUTLAY	0
20	(E) DATA PROC.	<u>0</u>
21	TOTAL AMOUNT APPROPRIATED	<u>\$1,866,358</u>

22

23 SECTION 15. APPROPRIATION - STATE EMPLOYEE CLAIMS. There is hereby

24 appropriated, to the State Insurance Department, to be payable from the

25 Workers' Compensation Revolving Fund, for payment of state employee claims by

26 the State Insurance Department - State Employee Claims for the fiscal year

27 ending June 30, 2017, the following:

28

29	ITEM	FISCAL YEAR
30	<u>NO.</u>	<u>2016-2017</u>
31	(01) STATE EMPLOYEE CLAIMS	<u>\$16,500,000</u>

32

33 SECTION 16. APPROPRIATION - PUBLIC SCHOOL EMPLOYEE CLAIMS. There is

34 hereby appropriated, to the State Insurance Department, to be payable from

35 the Miscellaneous Revolving Fund, for payment of public school employee

36 claims by the State Insurance Department - Public School Employee Claims for

1 the fiscal year ending June 30, 2017, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2016-2017</u>
5 (01) PUBLIC SCHOOL EMPLOYEE CLAIMS	<u>\$450,000</u>

6

7 SECTION 17. APPROPRIATION - COUNTY EMPLOYEE CLAIMS. There is hereby

8 appropriated, to the State Insurance Department, to be payable from the

9 Miscellaneous Revolving Fund, for payment of county employee claims by the

10 State Insurance Department - County Employee Claims for the fiscal year

11 ending June 30, 2017, the following:

12

13 ITEM	FISCAL YEAR
14 <u>NO.</u>	<u>2016-2017</u>
15 (01) COUNTY EMPLOYEE CLAIMS	<u>\$200,000</u>

16

17 SECTION 18. APPROPRIATION - CITY EMPLOYEE CLAIMS. There is hereby

18 appropriated, to the State Insurance Department, to be payable from the

19 Miscellaneous Revolving Fund, for payment of city employee claims by the

20 State Insurance Department - City Employee Claims for the fiscal year ending

21 June 30, 2017, the following:

22

23 ITEM	FISCAL YEAR
24 <u>NO.</u>	<u>2016-2017</u>
25 (01) CITY EMPLOYEE CLAIMS	<u>\$600,000</u>

26

27 SECTION 19. APPROPRIATION - GOVERNMENTAL BONDING BOARD. There is

28 hereby appropriated, to the State Insurance Department, to be payable from

29 the Fidelity Bond Trust Fund, for operating expenses, refunds,

30 reimbursements, claims, investments, professional services, and reinsurance

31 of the State Insurance Department - Governmental Bonding Board for the fiscal

32 year ending June 30, 2017, the following:

33

34 ITEM	FISCAL YEAR
35 <u>NO.</u>	<u>2016-2017</u>
36 (01) MAINT. & GEN. OPERATION	

1	(A) OPER. EXPENSE	\$5,000
2	(B) CONF. & TRAVEL	0
3	(C) PROF. FEES	0
4	(D) CAP. OUTLAY	0
5	(E) DATA PROC.	0
6	(02) REFUNDS/REIMBURSEMENTS	150,000
7	(03) CLAIMS	3,000,000
8	(04) INVESTMENTS	760,637
9	(05) PROFESSIONAL SERVICES	50,000
10	(06) REINSURANCE	<u>139,218</u>
11	TOTAL AMOUNT APPROPRIATED	<u><u>\$4,104,855</u></u>

12

13 SECTION 20. APPROPRIATION - ARKANSAS MULTI-AGENCY INSURANCE TRUST FUND.

14 There is hereby appropriated, to the State Insurance Department, to be  
 15 payable from the Arkansas Multi-Agency Insurance Trust Fund, for expenses and  
 16 payment of claims by the State Insurance Department - Arkansas Multi-Agency  
 17 Insurance Trust Fund for the fiscal year ending June 30, 2017, the following:

18

19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2016-2017</u>
21	(01) FOR EXPENSES AND CLAIMS FROM AMAIT	
22	FUND	<u><u>\$10,000,000</u></u>

23

24 SECTION 21. APPROPRIATION - PUBLIC SCHOOL INSURANCE PROGRAM. There is  
 25 hereby appropriated, to the State Insurance Department, to be payable from  
 26 the Public School Insurance Trust Fund, for expenses and payment of claims by  
 27 the State Insurance Department - Public School Insurance Program for the  
 28 fiscal year ending June 30, 2017, the following:

29

30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2016-2017</u>
32	(01) EXPENSES AND CLAIMS	<u><u>\$14,000,000</u></u>

33

34 SECTION 22. APPROPRIATION - CRIMINAL BACKGROUND CHECKS - CASH. There  
 35 is hereby appropriated, to the State Insurance Department, to be payable from  
 36 the cash fund deposited in the State Treasury as determined by the Chief

1 Fiscal Officer of the State, for operating expenses of the State Insurance  
 2 Department - Criminal Background Checks - Cash for the fiscal year ending  
 3 June 30, 2017, the following:

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2016-2017</u>
7 (01) MAINT. & GEN. OPERATION	
8 (A) OPER. EXPENSE	\$125,000
9 (B) CONF. & TRAVEL	0
10 (C) PROF. FEES	0
11 (D) CAP. OUTLAY	0
12 (E) DATA PROC.	<u>0</u>
13 TOTAL AMOUNT APPROPRIATED	<u><u>\$125,000</u></u>

14  
 15 SECTION 23. APPROPRIATION - RATE REVIEW - FEDERAL. There is hereby  
 16 appropriated, to the State Insurance Department, to be payable from the  
 17 federal funds as designated by the Chief Fiscal Officer of the State, for  
 18 personal services and operating expenses of the State Insurance Department -  
 19 Rate Review - Federal for the fiscal year ending June 30, 2017, the  
 20 following:

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2016-2017</u>
24 (01) REGULAR SALARIES	\$199,667
25 (02) PERSONAL SERVICES MATCHING	60,725
26 (03) MAINT. & GEN. OPERATION	
27 (A) OPER. EXPENSE	1,013,525
28 (B) CONF. & TRAVEL	191,416
29 (C) PROF. FEES	4,380,080
30 (D) CAP. OUTLAY	0
31 (E) DATA PROC.	<u>0</u>
32 TOTAL AMOUNT APPROPRIATED	<u><u>\$5,845,413</u></u>

33  
 34 SECTION 24. APPROPRIATION - LEVEL ONE COOPERATIVE AGREEMENT - FEDERAL.  
 35 There is hereby appropriated, to the State Insurance Department, to be  
 36 payable from the federal funds as designated by the Chief Fiscal Officer of

1 the State, for personal services and operating expenses associated with the  
 2 Federal-State Partnership Health Insurance Exchange of the State Insurance  
 3 Department - Level One Cooperative Agreement - Federal for the fiscal year  
 4 ending June 30, 2017, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2016-2017</u>
8 (01) REGULAR SALARIES	\$1,273,586
9 (02) PERSONAL SERVICES MATCHING	431,873
10 (03) MAINT. & GEN. OPERATION	
11 (A) OPER. EXPENSE	1,009,574
12 (B) CONF. & TRAVEL	257,148
13 (C) PROF. FEES	36,618,646
14 (D) CAP. OUTLAY	0
15 (E) DATA PROC.	<u>0</u>
16 TOTAL AMOUNT APPROPRIATED	<u><u>\$39,590,827</u></u>

17  
 18 SECTION 25. APPROPRIATION - MEDICARE - MIPPA - 2. There is hereby  
 19 appropriated, to the State Insurance Department, to be payable from the  
 20 federal funds as designated by the Chief Fiscal Officer of the State, for  
 21 operating expenses and grants and aid by the State Insurance Department -  
 22 Medicare - MIPPA - 2 for the fiscal year ending June 30, 2017, the following:

24 ITEM	FISCAL YEAR
25 <u>NO.</u>	<u>2016-2017</u>
26 (01) MAINT. & GEN. OPERATION	
27 (A) OPER. EXPENSE	\$72,452
28 (B) CONF. & TRAVEL	0
29 (C) PROF. FEES	81,896
30 (D) CAP. OUTLAY	0
31 (E) DATA PROC.	0
32 (02) MEDICARE IMPROVEMENT FOR PATIENTS & 33 PROVIDERS GRANTS	<u>166,502</u>
34 TOTAL AMOUNT APPROPRIATED	<u><u>\$320,850</u></u>

35  
 36 SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
 2 PROVISION. In the event the State Insurance Department is unable to maintain  
 3 a full roster of examination personnel, and upon approval of the Chief Fiscal  
 4 Officer of the State, the resulting unused appropriations in Regular  
 5 Salaries, Extra Help, and Personal Services Matching may be transferred to  
 6 the Professional Services special line item for the purpose of contracting  
 7 with qualified individuals or firms for examination assistance.

8 The provisions of this section shall be in effect only from July 1, ~~2015~~  
 9 2016 through June 30, ~~2016~~ 2017.

10  
 11 SECTION 27. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HEALTHCARE  
 13 INDEPENDENCE PROGRAM AND ARKANSAS HEALTH INSURANCE MARKETPLACE RESTRICTIONS.

14 (a) As used in this section, "Health Care Independence Program" means the  
 15 Health Care Independence Program established under the Health Care  
 16 Independence Act of 2014, Arkansas Code § 20-77-2401 et seq.

17 (b)(1) Determining the maximum number of employees, the maximum amount  
 18 of appropriation, for what purposes an appropriation is authorized, and  
 19 general revenue funding for a state agency each fiscal year is the  
 20 prerogative of the General Assembly.

21 (2) The purposes of subdivision (b)(1) of this section are  
 22 typically accomplished by:

23 (A) Identifying the purpose in the appropriation act;

24 (B) Delineating such maximums in the appropriation act for  
 25 a state agency; and

26 (C) Delineating the general revenue allocations authorized  
 27 for each fund and fund account by amendment to the Revenue Stabilization Law,  
 28 Arkansas Code § 19-5-101 et seq.

29 (3) It is both necessary and appropriate that the General  
 30 Assembly restrict the use of appropriations authorized in this act.

31 (c)(1) Except as provided in this subsection, the State Insurance  
 32 Department shall not allocate, budget, expend, or utilize any appropriation  
 33 authorized by the General Assembly for the purpose of advertisement,  
 34 promotion, or other activities designed to promote or encourage enrollment in  
 35 the Arkansas Health Insurance Marketplace or the Health Care Independence  
 36 Program, including without limitation:

1 (A) Unsolicited communications mailed to potential  
 2 recipients;

3 (B) Television, radio, or online commercials;

4 (C) Billboard or mobile billboard advertising;

5 (D) Advertisements printed in newspapers, magazines, or  
 6 other print media; and

7 (E) Internet websites and electronic media.

8 (2) This subsection does not prohibit the department from:

9 (A) Direct communications with:

10 (i) Licensed insurance agents; and

11 (ii) Persons licensed by the department;

12 (B) Solicited communications with potential recipients;

13 (C)(i) Responding to an inquiry regarding the coverage for  
 14 which a potential recipient might be eligible, including without limitation  
 15 providing educational materials or information regarding any coverage for  
 16 which the individual might qualify.

17 (ii) Educational materials and information  
 18 distributed under subdivision (c)(2)(C)(i) of this section shall contain only  
 19 factual information and shall not contain subjective statements regarding the  
 20 coverage for which the potential recipient might be eligible; and

21 (D) Using an Internet website for the exclusive purpose of  
 22 enrolling individuals in the Arkansas Health Insurance Marketplace or the  
 23 Health Care Independence Program.

24 (d) The State Insurance Department shall not apply for or accept any  
 25 funds, including without limitation federal funds, for the purpose of  
 26 advertisement, promotion, or other activities designed to promote or  
 27 encourage enrollment in the Arkansas Health Insurance Marketplace or the  
 28 Health Care Independence Program.

29 (e)(1) Except as provided in subdivision (e)(2) of this section, the  
 30 State Insurance Department shall not:

31 (A)(i) Except as provided in subdivision (e)(1)(A)(ii) of  
 32 this section, allocate, budget, expend, or utilize an appropriation  
 33 authorized by the General Assembly for the purpose of funding activities of  
 34 navigators, guides, certified application counselors, and certified licensed  
 35 producers under the Arkansas Health Insurance Marketplace Navigator, Guide,  
 36 and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

1                   (ii) Subdivision (e)(1)(A)(i) of this section does  
2 not apply to regulatory and training responsibilities related to navigators,  
3 guides, certified application counselors, and certified licensed producers;  
4 and

5                   (B) Apply for or accept any funds, including without  
6 limitation federal funds, for the purpose of funding activities of  
7 navigators, guides, certified application counselors, and certified licensed  
8 producers under the Arkansas Health Insurance Marketplace Navigator, Guide,  
9 and Certified Application Counselors Act, Arkansas Code § 23-64-601 et seq.

10                  (2) Subdivision (e)(1) of this section does not apply to  
11 certified application counselors at health related institutions, including  
12 without limitation the University of Arkansas for Medical Sciences.

13                  (f) An appropriation authorized by the General Assembly shall not be  
14 subject to the provisions allowed through reallocation of resources or  
15 transfer of appropriation authority for the purpose of transferring an  
16 appropriation to any other appropriation authorized for the State Insurance  
17 Department to be allocated, budgeted, expended, or utilized in a manner  
18 prohibited by this section.

19                  (g) The provisions of this section are severable, and the invalidity  
20 of any subsection or subdivision of this section shall not affect other  
21 provisions of the section that can be given effect without the invalid  
22 provision.

23                  (h) This section expires on June 30, ~~2016~~ 2017.

24  
25                  SECTION 28. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
26 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
27 RESTRICTIONS. The State Insurance Department shall not allocate, budget,  
28 expend or commit for expenditure any appropriation authorized by the General  
29 Assembly for final implementation of a state-based health insurance exchange  
30 by the Arkansas Health Insurance Marketplace Board as established in Arkansas  
31 Code § 23-61-803 et seq. until after the decision of the United States  
32 Supreme Court in King v. Burwell, 759 F.3d 358 (4th Cir.), cert. granted,  
33 U.S. , 135 S. Ct. 475(2014).

34                  The provisions of this section shall be in effect only from ~~the date of~~  
35 ~~the passage and approval of this Act~~ July 1, 2016 through June 30, ~~2016~~ 2017.

36



1 SECTION 29. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
2 authorized by this act shall be limited to the appropriation for such agency  
3 and funds made available by law for the support of such appropriations; and  
4 the restrictions of the State Procurement Law, the General Accounting and  
5 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
6 Procedures and Restrictions Act, or their successors, and other fiscal  
7 control laws of this State, where applicable, and regulations promulgated by  
8 the Department of Finance and Administration, as authorized by law, shall be  
9 strictly complied with in disbursement of said funds.

10  
11 SECTION 30. LEGISLATIVE INTENT. It is the intent of the General  
12 Assembly that any funds disbursed under the authority of the appropriations  
13 contained in this act shall be in compliance with the stated reasons for  
14 which this act was adopted, as evidenced by the Agency Requests, Executive  
15 Recommendations and Legislative Recommendations contained in the budget  
16 manuals prepared by the Department of Finance and Administration, letters, or  
17 summarized oral testimony in the official minutes of the Arkansas Legislative  
18 Council or Joint Budget Committee which relate to its passage and adoption.

19  
20 SECTION 31. EMERGENCY CLAUSE. It is found and determined by the  
21 General Assembly, that the Constitution of the State of Arkansas prohibits  
22 the appropriation of funds for more than a one (1) year period; that the  
23 effectiveness of this Act on July 1, 2016 is essential to the operation of  
24 the agency for which the appropriations in this Act are provided, and that in  
25 the event of an extension of the legislative session, the delay in the  
26 effective date of this Act beyond July 1, 2016 could work irreparable harm  
27 upon the proper administration and provision of essential governmental  
28 programs. Therefore, an emergency is hereby declared to exist and this Act  
29 being necessary for the immediate preservation of the public peace, health  
30 and safety shall be in full force and effect from and after July 1, 2016.

31  
32  
33  
34  
35  
36